

SERVICE PLAN CITY OF BULVERDE, TEXAS

SERVICE PLAN FOR ANNEXATION OF APPROXIMATELY 0.177 SQUARE MILES OF LAND GENERALLY LOCATED TO THE SOUTHWEST OF THE INTERSECTION OF US HWY 281 AND F.M. 1863, AND SOUTH OF THE CURRENT CITY LIMITS LINE ALONG BULVERDE ROAD WEST OF US HWY 281 September 2015

This service plan shall be valid for ten (10) years from and after the effective date of the annexation ordinance annexing this specific land, all of which is lying within the City's Extraterritorial Jurisdiction (ETJ); legal description of said property described by metes and bounds attached as Exhibit A and all property incorporated herein by reference, is hereby added and annexed to the City of Bulverde, Texas and said territory as described shall hereafter be included within the boundary limits of said City, and the present boundary limits of said City, at the various points contiguous to the area described by metes and bounds in Exhibit "A". Renewal of the service plan shall be solely at the discretion of the City of Bulverde.

This service plan is a contractual obligation that is not subject to amendment or repeal except that if the City Council determines at public hearings required by Chapter 43 of the Texas Local Government Code, that changed conditions or subsequent occurrences make this service plan unworkable or obsolete, the City Council may amend the service plan to conform to the change conditions or subsequent occurrences. An amended service plan shall provide for services that are comparable to or better than those established in the service plan before amendment. Before any amendment is adopted, the City Council shall provide an opportunity for interested persons to be heard at public hearings called and held in the manner provided by Chapter 43 of the Texas Local Government Code.

Upon annexation of the area identified above and as more particularly identified in Exhibit A, the City of Bulverde will provide City services utilizing methods by which it extends services to any other equivalent area of the City.

SERVICES PROVIDED BY THE EFFECTIVE DATE OF ANNEXATION

As used in this plan, the term "services provided" includes having services provided by any method or means by which the City may extend municipal services to any other area of the City with like topography, land use and population density as those found within the newly annexed areas, including the City's infrastructure extension policies and developer or property owner participation in accordance with applicable City ordinances.

1. Police Protection

The City of Bulverde will provide law enforcement services to newly annexed areas at the same or similar level of service currently being provided to other areas of the City with like topography, land use and population density as those found within the newly annexed areas.

2. Fire Protection and Emergency Medical Services

The City of Bulverde does not have a municipal fire department. Fire Protection services are currently provided within the City by the Comal County Emergency Services Districts #4 and #5. The Comal County Emergency Services Districts #4 and #5 will continue to provide fire protection to newly annexed areas at the same or similar level of service currently being provided to other areas of the City, with like topography, land use and population density as those found within the newly annexed areas.

The City of Bulverde does not have a municipal Emergency Medical Service (EMS). EMS services are currently provided within the City by the Comal County Emergency Services District #1. The Comal County Emergency Services District #1 will continue to provide EMS services to newly annexed areas at the same or similar level of service currently being provided to other areas of the City, with like topography, land use and population density as those found within the newly annexed areas.

3. Maintenance of Water and Wastewater Facilities

All water and wastewater facilities owned or maintained by the City of Bulverde at the time of the proposed annexation shall continue to be maintained by the City of Bulverde. All water and wastewater facilities which may be acquired subsequent to the annexation of the proposed areas shall be maintained by the City of Bulverde to the extent of its ownership. The now existing water and wastewater mains at existing locations shall be available for the point of use extension based upon the City of Bulverde standard extension policy now existing or as may be amended. On-site sewerage systems may be maintained in accordance with the City's Code of Ordinances.

4. Solid Waste Collection

Solid waste collection services are provided within the City of Bulverde by a solid waste management service provider who holds an exclusive franchise agreement with the City. Solid waste management services will be provided to citizens in the newly annexed areas at the same or similar level of service currently being provided to other areas of the City with like topography, land use and density as those found within the newly annexed areas. After the second anniversary of the annexation date, the City will prohibit the collection of solid waste in the area by any solid waste management service provider other than the solid waste management provider holding a franchise agreement with the City.

5. Maintenance of Roads, Streets and Control Devices

Any and all public roads, streets or alleyways shall be maintained to the same degree and extent that other public roads, streets, and alleyways are maintained in areas of the City with like topography, land use and density as those found within the newly annexed areas. Private roads will remain under the ownership of the homeowners association and as such maintained by the association. The City will assume the expenses for operation and maintenance of public streetlights at intersections, dead ends and other locations that conform to the City's policy for placing streetlights. Streetlights, traffic control devices and street name signs will be maintained by the City.

6. Maintenance of Parks, Playgrounds, and Swimming Pools

The City of Bulverde, Texas is not aware of the existence of any publicly owned parks, playgrounds or swimming pools now located in the proposed areas of annexation. In the event any such parks, playgrounds, or swimming pools do exist and are public facilities, the City will maintain such areas and facilities to the extent and degree and to the same or similar level of service now being provided to other such areas and facilities within the corporate limits of the City with like topography, land use and density as those found within the newly annexed areas. Private facilities will remain under the ownership of the homeowners association and as such maintained by the association.

7. Maintenance of any Publicly owned Facility, Building or Municipal Service

The City of Bulverde, Texas is not aware of the existence of any publicly owned facility, building, or other municipal service now located in the proposed areas of annexation. In the event any publicly owned facility, building, or other municipal service does exist and are public facilities, the City will maintain such areas and facilities to the extent and degree and to the same or similar level of service now being provided to other such areas and facilities within the corporate limits of the City with like topography, land use and density as those found within the newly annexed areas.

8. Other Services

The City of Bulverde, Texas finds and determines that such services as planning, code enforcement, animal control, parks and recreation, court and general administration will be made available after the effective date of annexation at the same or similar level of service currently being provided to other areas of the City with similar topography, land use and density as those found within the newly annexed areas.

CONSTRUCTION OF ANY CAPITAL IMPROVEMENTS TO BE COMPLETED WITHIN 2 ½ YEARS

1. Police and Fire Protection and Solid Waste Collection

The City of Bulverde, Texas, finds and determines it is not necessary to acquire or construct any capital improvements within 2 ½ years of the effective date of the annexation of the particular annexed areas for the purpose of providing police protection, fire protection, emergency medical services or solid waste collection. The City finds and determines that it has at the present time adequate facilities and other resources to provide the same type, kind and level of service and protection which is presently being administered to other areas already incorporated in the City of Bulverde, Texas with like topography, land use and population density as those found within the newly annexed areas.

2. Water and Wastewater Facilities

The City of Bulverde, Texas, finds and determines it is not necessary to acquire or construct any capital improvements within 2 ½ years of the effective date of the annexation of the particular annexed areas for the purpose of providing Water and Wastewater services. The City finds and determines that it has at the present time adequate facilities and other resources to provide the same type, kind and level of service and protection which is presently being administered to other areas already incorporated in the City of Bulverde, Texas with like topography, land use and population density as those found within the newly annexed areas.

3. Roads and Streets

The City of Bulverde, Texas, finds and determines it is not necessary to acquire or construct any capital improvements within 2 ½ years of the effective date of the annexation of the particular annexed areas.

4. Maintenance of Parks, Playgrounds, and Swimming Pools and Any Other Publicly Owned Facility, Building, or Service

The City of Bulverde, Texas, finds and determines it is not necessary to acquire or construct any capital improvements within 2 ½ years of the effective date of the annexation of the particular annexed areas for the purpose of parks maintenance, playgrounds, swimming pools and other publicly owned facility, building or service.

SPECIFIC FINDINGS

The City of Bulverde, Texas, finds and determines that this proposed service plan will not provide any fewer services and will not provide a lower level of service in the areas being considered for annexation that were in existence in the proposed areas at the time immediately preceding the annexation process. Given the proposed annexation areas' topography, land utilization and population density, the service levels to be provided in the newly annexed areas will be equivalent to those provided to other areas of the City with similar characteristics.

TERMS

This plan shall be valid for a term of ten (10) years. Renewal of the Service Plan is at the sole discretion of the City of Bulverde.

LEVEL OF SERVICE

Nothing in this plan shall require the City to provide a uniform level of full municipal services to each area of the City, including the annexed areas, if different characteristics of topography, land use, and population density are considered a sufficient basis for providing different levels of service.

AMENDMENTS

The plan shall not be amended unless public hearings are held in accordance with Chapter 43 of the Texas Local Government Code.

PHASE 6
FIELD NOTE DESCRIPTION
OF APPROXIMATELY 0.177 SQUARE MILES
FOR POLITICAL BOUNDARY PURPOSES

BEING AN APPROXIMATELY 0.177 SQUARE MILE TRACT OF LAND SITUATED IN COMAL COUNTY, TEXAS, SAID 0.177 SQUARE MILE TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING, IN THE SOUTHERLY LINE OF THE EXISTING BULVERDE CITY LIMIT LINE, BEING IN THE WESTERLY LINE OF THAT CERTAIN \pm 25 ACRE TRACT CONVEYED TO JOSEPH WYSOKI AND FREDERICK WYSOKI, BEING THE SOUTHEASTERLY CORNER OF THAT CERTAIN 1.68 ACRE TRACT CONVEYED TO ELSIE LEE BIESENBACH, SAME BEING THE NORTHEASTERLY CORNER OF THAT CERTAIN 74.23 ACRE TRACT CONVEYED TO MARKLINE PROPERTIES INC., FOR THE NORTHWESTERLY CORNER HEREOF;

THENCE, IN A SOUTHEASTERLY DIRECTION, ALONG THE EXISTING BULVERDE CITY LIMIT LINE, INTO AND ACROSS THE FOLLOWING TRACTS: SAID 25 ACRE TRACT, THAT CERTAIN 10.212 ACRE TRACT CONVEYED TO WDP INTERESTS LLC, THAT CERTAIN 110.88 ACRE TRACT CONVEYED TO MAUREEN W. CABALLERO ET AL, AND THAT CERTAIN 1.2 ACRE TRACT CONVEYED TO THOMAS A. WIRTH ET AL, AN APPROXIMATE DISTANCE OF 2,513 FEET TO A POINT MARKING THE SOUTHWESTERLY CORNER OF THAT CERTAIN 4.296 ACRE CONVEYED TO THOMAS A. WIRTH ET AL, BEING THE NORTHWESTERLY CORNER OF THAT CERTAIN 20.167 ACRE TRACT CONVEYED TO THOMAS A. WIRTH ET AL;

THENCE, IN A NORTHEASTERLY DIRECTION, ALONG THE EXISTING BULVERDE CITY LIMIT LINE, ALONG A PORTION OF THE COMMON BOUNDARY LINE OF SAID 4.296 ACRE TRACT AND SAID 20.167 ACRE TRACT, AN APPROXIMATE DISTANCE OF 31 FEET TO A POINT;

THENCE, IN A SOUTHEASTERLY DIRECTION, ALONG THE EXISTING BULVERDE CITY LIMIT LINE, INTO AND ACROSS SAID 20.167 ACRE TRACT, AN APPROXIMATE DISTANCE OF 171 FEET TO A POINT;

THENCE, IN A NORTHEASTERLY DIRECTION, ALONG THE EXISTING BULVERDE CITY LIMIT LINE, CONTINUING INTO AND ACROSS SAID 20.167 ACRE TRACT, AN APPROXIMATE DISTANCE OF 1,074 FEET TO A POINT;

THENCE, IN A SOUTHWESTERLY DIRECTION, ALONG THE EXISTING BULVERDE CITY LIMIT LINE, CONTINUING INTO AND ACROSS SAID 20.167 ACRE TRACT, AND INTO AND ACROSS THAT CERTAIN 5.464 ACRE TRACT CONVEYED TO GERMAN LUTHERAN CHURCH AND THAT CERTAIN 14.203 ACRE TRACT CONVEYED TO THOMAS A. WIRTH, AN APPROXIMATE DISTANCE OF 1,955 FEET TO A POINT IN THE NORTHERLY LINE OF THAT CERTAIN 2.659 ACRE TRACT CONVEYED TO SRTOM LLC, BEING THE SOUTHERLY LINE OF SAID 14.203 ACRE TRACT;

THENCE, IN A NORTHWESTERLY DIRECTION, LEAVING THE EXISTING BULVERDE CITY LIMIT LINE, ALONG A PORTION OF THE SOUTHERLY LINE OF SAID 14.203 ACRE TRACT AND THE SOUTHERLY LINE OF THAT CERTAIN 7.8 ACRE TRACT CONVEYED TO THOMAS A. WIRTH, BEING A PORTION OF THE NORTHERLY LINE OF SAID 2.659 ACRE TRACT AND THE NORTHERLY LINE OF THAT CERTAIN 2.1 ACRE TRACT CONVEYED TO SRTOM LLC, AN APPROXIMATE DISTANCE OF 825 FEET TO THE NORTHWESTERLY CORNER OF SAID 2.1 ACRE TRACT, BEING THE SOUTHWESTERLY CORNER OF SAID 7.8 ACRE TRACT, SAME BEING THE EASTERLY LINE OF SAID 110.88 ACRE TRACT;

THENCE, IN A NORTHWESTERLY DIRECTION, INTO AND ACROSS SAID 110.88 ACRE TRACT, AN APPROXIMATE DISTANCE OF 1,585 FEET TO A POINT MARKING THE SOUTHEASTERLY CORNER OF SAID 25 ACRE TRACT, BEING AN INTERIOR ELL CORNER OF SAID 110.88 ACRE TRACT;

THENCE, IN A NORTHWESTERLY DIRECTION, ALONG A PORTION OF THE COMMON BOUNDARY LINE OF SAID 110.88 ACRE TRACT AND SAID 25 ACRE TRACT, AN APPROXIMATE DISTANCE OF 792 FEET TO A POINT MARKING THE SOUTHWESTERLY CORNER OF SAID 25 ACRE TRACT, BEING IN THE EASTERLY LINE OF SAID 74.23 ACRE TRACT, FOR THE SOUTHWESTERLY CORNER HEREOF;

THENCE, IN A NORTHEASTERLY DIRECTION, ALONG A PORTION OF THE COMMON BOUNDARY LINE OF SAID 74.23 ACRE TRACT AND SAID 25 ACRE TRACT, AN APPROXIMATE DISTANCE OF 1,301 FEET TO THE **POINT OF BEGINNING**, CONTAINING AN AREA OF APPROXIMATELY 0.177 SQUARE MILES OF LAND, MORE OR LESS;

POLITICAL BOUNDARY ANNEXATION
TO CITY OF BULVERDE
PHASE-6 EXHIBIT

